

**DEPARTMENT OF THE ARMY**  
**BUFFALO DISTRICT, CORPS OF ENGINEERS**  
**1776 NIAGARA STREET**  
**BUFFALO, NEW YORK 14207-3199**

REPLY TO

November 22, 2002

Regulatory Branch

SUBJECT: Withdrawal of Department of the Army Application No.  
97-504-0003(2)

Mr. Robert Wirz  
5690 Beach Road  
Medina, Ohio 44256

Dear Mr. Wirz:

Reference is made to my letter dated August 7, 2002, in which you were advised that your permit application would be withdrawn from further evaluation unless the specified information I requested was submitted by September 9, 2002.

The information that I requested has not been furnished, and my review of your application cannot proceed. Accordingly, I am withdrawing your application.

Should you wish to resubmit your application at a future time please reference Processing No. 97-504-0003(2).

Finally, on August 23, 2002 I investigated a complaint that you had filled part of the Vesper Lake shoreline without proper authorization. After comparing the work you performed to the associated drawings (sheet 2 of 2), I have determined that the grading you performed was done in compliance with the conditions stated in Nationwide Permit No. 3 we previously affirmed. Your work did not constitute a violation of Federal law and I have terminated our investigation.

Questions pertaining to this matter should be directed to me at (716) 879-4120, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, or by e-mail at: [harold.t.keppner@usace.army.mil](mailto:harold.t.keppner@usace.army.mil)

Sincerely,

Harold T. Keppner  
Biologist

Enclosures